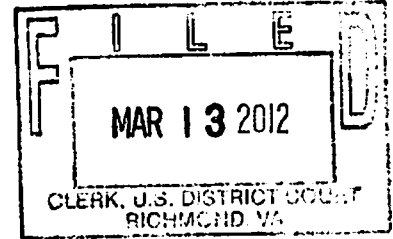


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



EPLUS INC.,

Plaintiff,

v.

Civil Action No. 3:09cv620

LAWSON SOFTWARE, INC.,

Defendant.

ORDER

Having considered the Plaintiff's MOTION TO STRIKE TESTIMONY OF LAWSON ECONOMIC EXPERT JONATHAN D. PUTNAM CONCERNING AWARD OF ROYALTY AND UNOPPOSED REQUEST FOR EXPEDITED BRIEFING (Docket No. 902), the response, and the reply, and the argument of counsel, it is hereby ORDERED that the motion to strike is granted with respect to ¶¶ 19-21, 75, 80, 102-104, 114-156, 159-160, Exhibits 9, 11, and Figure 4.

The testimony will be stricken because: (1) the opinions will not assist the finder of fact in understanding the evidence or in determining a fact in issue; and (2) the opinions are not the product of reliable principles and methods, and Dr. Putnam has not reliably applied the principles and methods to the facts of the case; and (3) Dr. Putnam's opinions on reasonable royalty

do not fit this case considering the rulings previously made by the Court on the question of reasonable royalty and, in any event, the opinions are excludable under Fed. R. Evid. 403, as creating confusion and delay and because the prejudicial effect of admitting them substantially outweighs any marginal relevance that they may have.

The portion of the motion requesting expedited briefing is denied as moot.

It is so ORDERED.

/s/ *REP*
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: March 12, 2012